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United Nations Voluntary Fund for Victims of Torture

Report of the Secretary-General

Summary

The present report is submitted in accordance with General Assembly resolutions 36/151 and 60/148, and describes the recommendations for grants to beneficiary organizations that were adopted by the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture at its twenty-fifth session, held in April 2006, and subsequently approved by the Secretary-General on the basis of contributions received since the twenty-fourth session, held in April 2005. The report also provides information on policy decisions adopted by the Board in implementation of the recommendations made by the Office of Internal Oversight Services (see E/CN.4/2005/55) with a view to further enhancing the activities of the Fund. Information is provided also on activities relating to the twenty-fifth anniversary of the Fund which took place on 26 June 2006 in the framework of the International Day in Support of Victims of Torture.

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I. Introduction

A. Submission of the report

1. The present report was prepared in accordance with the arrangements approved by the General Assembly in its resolution 36/151 of 16 December 1981, by which it established the United Nations Voluntary Fund for Victims of Torture. It presents the recommendations adopted by the Board of Trustees of the Fund at its twenty-fifth session, which was held in Geneva from 5 to 11 April 2006. The United Nations High Commissioner for Human Rights approved these recommendations on behalf of the Secretary-General. The present report complements the report on the activities of the Fund submitted to the Commission on Human Rights at its sixty-second session (E/CN.4/2006/50).

B. Mandate of the Fund

2. The Fund receives voluntary contributions from Governments, non-governmental organizations and individuals. In accordance with the practice established by its Board of Trustees in 1982, the Fund provides grants to non-governmental organizations that submit projects involving medical, psychological, social, financial, legal and humanitarian or other forms of assistance to torture victims and their relatives.

C. Board of Trustees

3. The Secretary-General administers the Fund through the Office of the United Nations High Commissioner for Human Rights with the advice of a Board of Trustees composed of five members acting in their personal capacity and appointed by the Secretary-General with due regard to equitable geographical distribution and in consultation with their Governments. The Secretary-General in August 2005 appointed the following members for a period of three years, renewable once: Krassimir Kanev (Bulgaria), Sonia Picado (Costa Rica), Savitri Goonesekere (Sri Lanka), Joseph Oloka-Onyango (Uganda) and Derrick Pounder (United Kingdom of Great Britain and Northern Ireland). The Board held its twenty-fifth session in Geneva from 5 to 11 April 2006 to examine applications for funding, make recommendations on grants to be allotted to beneficiary organizations and discuss policy issues. Information on the outcome of the session is provided in paragraphs 5 to 25 below. As of 2007, the Board will hold two annual sessions. A meeting scheduled February 2007 will be devoted to discussions on policy issues, while a second meeting in October of the same year will be dedicated to the consideration of applications and recommendations on grants.

D. Admissibility criteria

4. Project admissibility criteria are outlined in the Fund's guidelines. They require a project to be presented by a non-governmental organization. The beneficiaries must be victims of torture as defined in article 1 of the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel,

Inhuman or Degrading Treatment or Punishment. Priority is given to projects providing direct assistance to torture victims. This could consist of medical or psychological assistance, help with social or financial reintegration through vocational training for victims, or legal assistance to secure compensation for victims or members of their families. Depending on the funds available, the Fund may finance projects to organize training programmes, seminars or conferences to allow health-care professionals or other service providers to exchange best practices. However, grant requests for projects involving investigation, research, studies, publications or similar activities are not admissible. The Fund can provide emergency assistance in individual cases in countries where no project is receiving support. This type of request is examined according to a specific procedure outlined in the guidelines. Detailed information on the various types of assistance provided through the projects financed by the Fund, as well as their impact on beneficiaries, can be found in the report of the Secretary-General to the General Assembly at its fifty-eighth session (A/58/284, paras. 27-34).

II. Twenty-fifth session of the Board of Trustees

5. The Board of Trustees held its twenty-fifth session from 5 to 11 April 2006 and made recommendations for grants for a total amount of US$ 8,797,000 to 165 projects in 71 countries. The High Commissioner for Human Rights approved these recommendations on 10 June 2006 on behalf of the Secretary-General.

6. In spite of the limited resources available, and consistent with recommendation 3 of the Office of Internal Oversight Services on the evaluation of the Fund (see E/CN.4/2005/55, para. 76), the Board continued its practice of financing training and seminars, thus allowing health professionals, social workers, lawyers and other service providers to exchange experiences and develop new strategies to address the needs of torture victims. The Board recommended an allocation of $25,000 to three organizations for training courses to be organized between the end of the twenty-fifth session and the end of 2007.

A. Financial situation of the Fund

7. The table below indicates the contributions received since the twenty-fourth session of the Board, in April 2005. It also includes contributions received between April and July 2006, which have been allocated to grants recommended at the twenty-fifth session.

8. It should be noted that since, at its twenty-fourth session, the Board had allocated grants for an 18-month period, recommendations were made not only on the basis of amounts available during the session, but also on the basis of contributions expected from regular donors to the Fund. Consequently, a large number of contributions which appear in the table below were in fact used to cover recommendations for grants made by the Board at its twenty-fourth session. It should be recalled that the Board had recommended grants in the amount of $8,452,000 for the period January 2005 to June 2006, of which $3.1 million were paid to grantees in January 2006.

Table 1

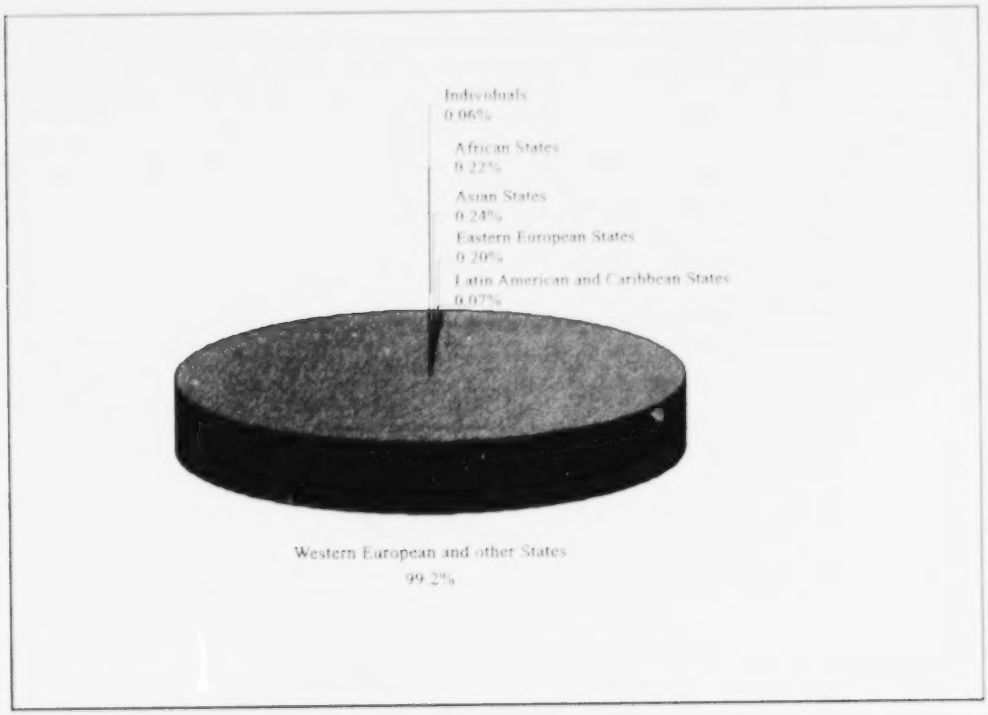
List of contributions received since the twenty-fourth session

Donors	*Contribution number*	*Amount (in United States dollars)*	*Date recorded*
States			
Algeria	16	5 000	7 February 2006
Andorra	12	19 141	30 June 2005
Argentina	14	7 000	12 September 2005
Armenia	1	1 096	28 July 2005
Austria	22	39 865	31 August 2005
Bahrain	3	5 000	9 June 2005
Belgium	16	88 756	6 January 2006
Bosnia and Herzegovina	2	2 000	21 October 2005
Canada	23	50 403	22 November 2005
Chile	15	5 000	7 July 2005
Cyprus	16	6 705	31 May 2005
	17 unearmarked contribution	11 082	30 August 2005
Czech Republic	10	12 019	11 July 2005
Denmark	23	334 309	9 June 2005
	24	342 465	30 May 2006
Finland	23	178 048	7 September 2005
France	29	251 256	11 July 2006
Greece	22	24 038	18 October 2005
Hungary	5	6 045	26 February 2006
Ireland	21	188 205	14 June 2005
	22	236 966	21 March 2006
Israel	9	5 000	30 December 2005
Italy	15	282 326	20 December 2005
	16	154 213	29 June 2006
Luxembourg	21	20 467	18 November 2005
Monaco	13	10 000	23 May 2006
Morocco	4	3 000	23 February 2006
Netherlands	25	1 000 000	8 August 2005
Norway	21	160 192	20 June 2006
Philippines	7	4 319	26 September 2005
Poland	5	5 000	29 June 2005
Portugal	9	15 000	9 May 2006
Republic of Korea	11	10 000	14 December 2005
South Africa	10	15 027	16 June 2005
	11	16 209	13 February 2006

Donors	*Contribution number*	*Amount (in United States dollars)*	*Date recorded*
Spain	22	306 091	5 January 2006
Slovenia	3	3 000	25 July 2005
	4 unearmarked contribution	7 000	25 July 2005
Switzerland	19	38 167	5 January 2006
Turkey	4	9 939	30 June 2005
United Kingdom of Great Britain and Northern Ireland	18	179 020	19 August 2005
	19	187 617	26 June 2006
United States of America	25	6 944 000	20 May 2005
	26	6 517 170	20 April 2006
Individuals			
Rita Maran	17	50	5 July 2005
	18	50	3 May 2006
Yorio Shiokawa	4	417	29 April 2005
	5	378	16 March 2006
Dietmembers' Association for Cooperation with the United Nations	1	9 011	17 August 2005
Saad A. Saidullah	1	42	22 May 2006
Total contributions		**17 852 440**	
Pledges			
Spain	23	300 000 euros	19 July 2006

9. Figure 1 illustrates the contributions received, by regional group and from individuals, since the twenty-fourth session.

Figure I
Contributions received by regional group and from individuals, since the twenty-fourth session



B. Recommendations adopted by the Board

1. Implementation of the change in the funding cycle (second phase)

10. At its twenty-fourth session, the Board started the implementation of recommendation 10 of the Office of Internal Oversight Services (ibid.) following its evaluation of the functioning of the Fund, whereby "support from the [Fund] should be for a *future* period, rather than for one that has largely passed, and the funding cycle should be changed accordingly". The Board established that the funding cycle should be adjusted to the calendar year over a three-year period, to ensure that by 2008, grants would be paid to beneficiary organizations early in the year. It was therefore decided that grants allocated in 2005 and 2006 would each cover an 18-month period, allowing for a complete new cycle as of 2008.

11. The Board implemented the second phase of the change in cycle at its twenty-fifth session. It made recommendations for grants for the period July 2006 to December 2007 for a total amount of $8,797,000, of which $5,820,500 will be paid in January 2007 for the calendar year 2007, subject to availability of funds. Taking into consideration the change in the funding cycle of the Fund and the fact that grants were allocated to cover an 18-month period, the Board had to rely on

contributions from regular donors which had not yet been received at the time of its twenty-fifth session.

2. Grants awarded for the period July 2006 to December 2007

12. The Board reviewed information prepared by its secretariat concerning 218 projects, including the analysis of narrative, financial and audit reports on the use of grants paid in previous years. It also considered requests for new grants amounting to $11,363,743 for projects to be implemented in 2006-2007.

13. Figure 2 and table 2 provide information on the distribution of grants per region for the period July 2006 to December 2007. The list of organizations subsidized can be found on the webpage of the Fund: http://www.ohchr.org/english/about/funds/torture/.

Figure 2
Distribution of grants for the period July 2006 to December 2007 by regional group

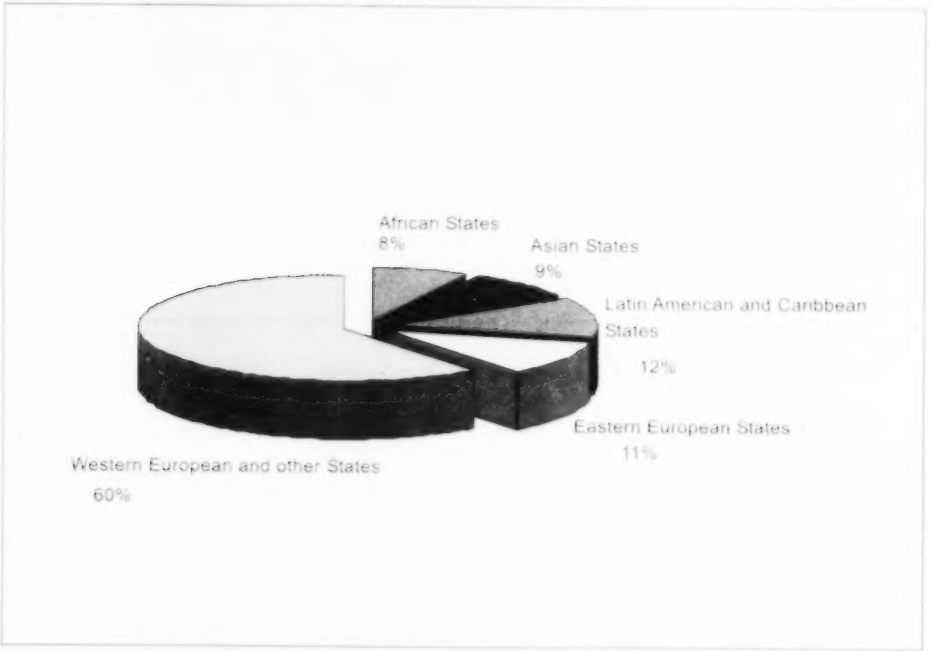


Table 2
Number of subsidized projects for the period July 2006 to December 2007, by regional group

Region	*Number of projects*	*Amount in United States dollars*
African States	12	665 000
Asian States	20	761 000
Latin American and Caribbean States	24	1 062 500
Eastern European States	19	968 000
Western European and other States	90	5 340 500
Total	**165**	**8 797 000**

14. While more than half of the grants recommended at the twenty-fifth session were awarded to organizations based in Western countries, the recipients of that aid are mostly refugees or asylum-seekers from other regions. Figure 3 below shows that only a small percentage of the victims assisted in Western European and other States in 2005 were in fact from Western countries; the vast majority came from other regions. According to the data provided by grantees, of the total number of victims assisted in 2005 with the support of the Fund, only 6 per cent were from Western countries (see figure 4).

Figure 3
Origin of victims assisted by projects in Western European and other States in 2005

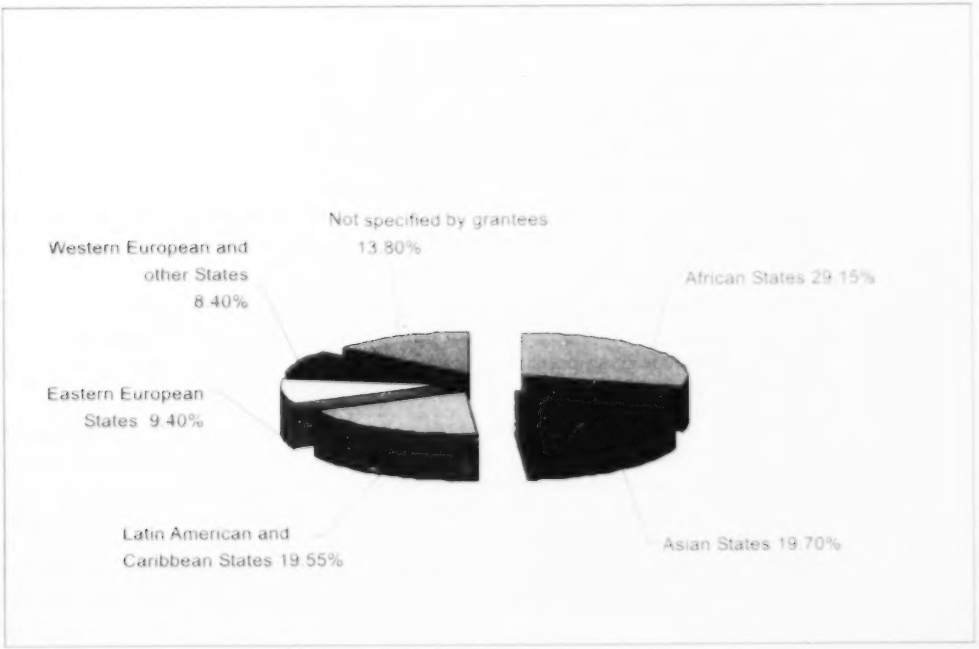
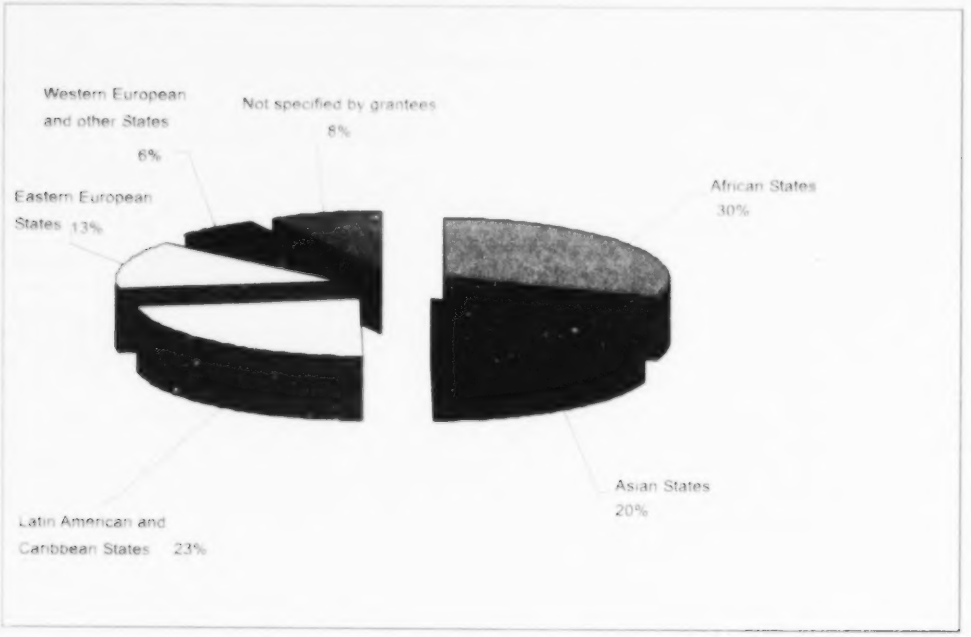


Figure 4
Regional breakdown of the origin of victims assisted in 2005


Western European and other States 6%
Not specified by grantees 8%
African States 30%
Eastern European States 13%
Asian States 20%
Latin American and Caribbean States 23%

3. Policy decisions adopted by the Board of Trustees

15. The Office of Internal Oversight Services made 16 recommendations in its report, including six sub-recommendations, with a view to enhancing the effectiveness of the Fund's work. As indicated in the previous report of the Secretary-General (A/60/215, paras. 21-37), the secretariat of the Fund and the Board had started implementing 11 of the recommendations. At its twenty-fifth session, the Board gave consideration to and adopted decisions in respect of five recommendations (see paras. 16, 19, 20, 21 and 25 below). The outstanding recommendations will be carefully examined at the twenty-sixth session of the Board, in February 2007.

16. Recommendation 4 of the Office of Internal Oversight Services called for "greater geographical balance in grant allocation" and a proactive approach by the secretariat in identifying potential grantees, inter alia during field visits by members of the secretariat or representatives of United Nations field presences.

17. A total of 45 projects in 27 countries have been visited since the twenty-fourth session of the Board, bringing the total number of projects visited since 2000 to 197. At the time of reporting 31 projects remained to be visited by the end of 2006. A large number of field visits were conducted by staff members of United Nations field presences. This practice has not only resulted in the development of an efficient monitoring mechanism, but has also strengthened the cooperation between the secretariat and field presences. Since 2004, the secretariat has encouraged the

latter when carrying out evaluations of existing projects to identify suitable applicants from regions which are underfunded.

18. In light of the above, the Board, at its twenty-fifth session, discussed the issue of priorities in funding and requested that the secretariat renew its efforts to attract suitable applications from organizations working both in Africa and Asia, as well as in emerging democratic States, particularly the Commonwealth of Independent States. In addition, the Board met with the Chief of the Capacity-Building and Field Operations Branch of the Office of the High Commissioner for Human Rights (OHCHR), who expressed his commitment to having OHCHR field presences continue to support the monitoring and evaluation of projects within their geographic areas as well as endeavour to identify projects in the countries of their respective regions. Desk officers would also undertake this activity in a systematic manner during their regular missions. The Board formally requested that the Branch assist it in identifying potential applicants from Africa and the Commonwealth of Independent States, and disseminate information on the Fund. It also decided to set aside $250,000 to finance projects in the priority regions identified through OHCHR field presences during the intersessional period.

19. Recommendation 15 of the Office of Internal Oversight Services called for "commencement of capacity-building of grantees". While it is foreseen that, in the framework of the ongoing computerization of the operations of the Fund, a forum allowing organizations assisting torture survivors worldwide to exchange experiences and perspectives online will be designed, the Board has also explored alternative ways to achieve this objective. The Board recommended that the secretariat work with organizations, mostly from developing countries, whose activities, although within the mandate of the Fund, did not fully compiy with its requirements, and to assist them in the coming months to understand the admissibility criteria and guidelines of the Fund so that they may become eligible for funding for the calendar year 2008.

20. Recommendation 2 of the Office of Internal Oversight Services requested the Fund to "define clearly those family members whom it is prepared to support [taking into account the need to have] a clear link between the torture of the victim and the reason for which the relative is being supported". In accordance with this recommendation, the Board of Trustees has now agreed on the following definition: "Members of a torture victim's family and extended family are those who, due to their close relationship with the victim, were directly affected at the time of the event".

21. With respect to recommendation 13 concerning "strengthened financial monitoring", including a threshold below which audit reports are not required, the Board, at its twenty-fifth session, decided to revise the limit regarding the submission of an audit report. As of 2007, projects receiving grants amounting to or exceeding $50,000 will be audited every year. One third of those receiving lesser grants will be randomly selected annually and requested to produce an audit report on the use of the grant received from the Fund. As a result, all projects receiving grants of less than $50,000 will be audited at least once every three years. In addition, guidelines for the financial monitoring of projects as well as a financial questionnaire to be filled out by applicants have been designed by the secretariat of the Fund, in consultation with Office of Internal Oversight Services auditors, which

will contribute to strengthening the financial probity of organizations, the monitoring of projects, as well as the capacity-building of grantees.

22. Until the twenty-fifth session of the Board, the guidelines of the Fund required that in order to be eligible for a grant, applicants had to secure two thirds of the project budget from other sources of funding. The Board was sensitive to the fact that for some applicants/grantees this requirement was very difficult to implement for a variety of reasons, including difficult access to international donors in certain regions of the world. Consequently, the Board adopted the following specific criteria under which projects not meeting the criteria of other sources of funding may nonetheless be financed:

(a) The project has been visited and is functioning well;

(b) The accounts are adequately maintained;

(c) The reporting is satisfactory;

(d) Beneficiaries include new cases or victims of recent torture;

(e) The organization can show that it has made continuous efforts to find other sources of funding;

(f) The project is a small or medium-size project;

(g) The grant awarded does not exceed $30,000.

The organization should however continue to be encouraged to find other sources of funding. The situation will be reviewed every year by the Board on a case-by-case basis to determine whether the Fund should continue supporting the project.

23. Following a recommendation by the Office of Internal Oversight Services as a result of an audit of projects financed by the Fund, the Board of Trustees has agreed to include in its guidelines a clause stating that direct assistance rendered to victims and/or their family members should be in kind, and only in exceptional cases in cash. Moreover, in cases where assistance may be provided as cash grants (for transportation costs, for instance), efficient and effective monitoring mechanisms must be in place to ensure that the money reaches the beneficiary and is used for the intended purpose. In such cases, the organization should be able to provide the secretariat with its written policy and selection criteria with respect to the allocation and monitoring of cash assistance, including minimum and maximum amounts that may be allocated, purposes for which cash may be awarded, the system in place for the disbursement of monies and follow-up procedures to ensure the effective use of the grants awarded.

24. The Board has also redefined eligibility criteria for the emergency fund which traditionally was used essentially to cover cash-flow problems encountered by organizations during the intersessional period. The new criteria require that the emergency fund only be used for situations which could not have been foreseen at the time of application, such as an influx of refugees/victims of torture owing to a humanitarian crisis. An amount of $250,000 was set aside for this purpose.

C. Meeting with donors

25. In light of recommendation 16 of the Office of Internal Oversight Services, which called for "stronger donor relations", the newly appointed Board held a meeting with Member States during the twenty-fifth session in order to present the outcome of its discussions and subsequent recommendations, in particular with regard to funding priorities. The Board also explained to Member States that it had started to carefully review the Office's recommendations and had taken action on a number of them (see paras. 15-22). The Board added that it had requested the secretariat of the Fund to prepare background papers for the next session, in February 2007, on a number of issues, including fund-raising strategies and a multiyear funding formula. Member States expressed their appreciation to the Board for the open, informative and constructive dialogue which took place during the meeting.

26. It is expected that the Board will meet with institutional donors at its twenty-sixth session, in particular the European Commission and the Oak Foundation, to address the issue of greater synergies, including the monitoring of the management of the projects financed by the Fund.

III. Twenty-fifth anniversary of the Fund

27. The Board, at its twenty-fifth session, welcomed the news that the publication *Rebuilding Lives* commemorating the twenty-fifth anniversary of the Fund would be launched on 26 June 2006, International Day in Support of Victims of Torture. The Board recommended that a further $150,000 be set aside to ensure its publication and translation in all of the official languages of the United Nations.

28. *Rebuilding Lives* was duly launched on 26 June 2006. This publication comprises contributions from current and former Board members on the work achieved by the Fund over the years and the challenges ahead. It includes a chapter on the fight against torture in international human rights law, a chapter on the medical response to torture and its health implications, and a chapter on the assistance provided by the Fund to torture victims through the projects it finances. The book also includes the testimonies of victims of torture assisted under five projects in Rwanda, Bosnia and Herzegovina, Australia, Pakistan and Chile, all beneficiaries of the Fund. The foreword to the publication by the High Commissioner for Human Rights is annexed to the present report.

29. OHCHR and the United Nations Office at Geneva organized a press conference at which the High Commissioner formally launched the publication and replied to questions put by journalists on the work of the Fund and on the fight against torture through the relevant United Nations human rights mechanisms, namely the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment, its Optional Protocol, which has recently entered into force, and the Special Rapporteur on the question of torture. Dr. José Quiroga, a Chilean medical doctor assisting victims of torture in the United States of America at a centre supported financially by the Fund, was a guest speaker at the press conference. He replied to several questions from journalists on the long-lasting health implications of torture on the beneficiaries assisted, noting that the vast

majority of recent victims of torture treated at the centre had come from Africa and Asia.

30. Following the press conference, an art exhibition was also launched at the Palais des Nations featuring numerous art works produced by victims of torture at art therapy workshops.

IV. International Day in Support of Victims of Torture

31. On the occasion of the International Day in Support of Victims of Torture, the following joint statement was issued:

> "The United Nations Committee against Torture, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture and the United Nations High Commissioner for Human Rights make the following statement to commemorate the United Nations International Day in Support of Victims of Torture.
>
> "The total ban on torture is firmly entrenched. Justification of its use is anathema. Throughout the world, the consensus relating to the prohibition of torture is being tested and some Member States blatantly contravene this prohibition in violation of international law and international standards. Torture continues to be inflicted at the hands of Governments and their agents, and increasingly on their behalf. We are deeply concerned about the number of reliable reports detailing the practice of torture around the world.
>
> "Today, a cornerstone of international human rights law is under unprecedented attack. In many States, including democratic ones, adherence to human rights standards as well as the principles and procedures underpinning the rule of law are being questioned or bypassed on the grounds that established rules do not apply in our current geopolitical climate.
>
> "Many democratic Governments are engaging in secret activities, effectively curtailing examination and debate, and demonstrating a tendency to avoid judicial scrutiny. Many of the legal and practical safeguards available to prevent torture, including regular and independent monitoring of detention centres, are also being disregarded. Concrete steps should be taken, including mandatory videotaping, to protect against the use of torture in interrogations and to ensure that torture does not taint the criminal justice system. Places of detention should be open to monitoring by independent national human rights institutions, where they exist, and non-governmental organizations.
>
> "Governments unquestionably have a duty to protect their citizens from torture. Imminent or clear danger permits limitations on certain human rights. The right to be free from torture and cruel, inhuman or degrading treatment is not one of these. This right must not be subject to any limitation, anywhere, under any condition.
>
> "In light of these concerns, we recall that the non-derogable nature of torture is enshrined in the Convention against Torture and in other international and regional human rights instruments. States are required under customary international and treaty law to take effective legislative,

administrative, judicial or other measures to prevent, investigate, prosecute and punish acts of torture committed in any territory under their jurisdiction. We call for the universal ratification of the Convention against Torture and urge States parties to the Convention to make the declaration under article 22 providing for individual communications.

"We welcome the entry into force of the Optional Protocol to the Convention against Torture and consider that this protocol has the potential to become an effective prevention mechanism. We also emphasize the importance of establishing and strengthening independent national preventive mechanisms that are empowered to undertake visits to places of detention as required by the Protocol.

"Finally, as we commemorate the twenty-fifth anniversary of the United Nations Voluntary Fund for Victims of Torture, we would like to recall the millions of victims who have suffered as a result of torture, including gender-based violence inflicted on women and violence against children during conflicts. We remind Governments and others of their obligations to ensure that all such victims have access to redress and have an enforceable right to seek and obtain compensation, including the means for comprehensive rehabilitative services. In this regard, we pay tribute to the organizations around the world which provide these essential services to victims and their families. We are also grateful to the donors whose support enables the Fund to provide financial assistance to organizations and torture victims in need. We call on all members of the international community, private entities and individuals to contribute generously to the Fund to ensure the continued availability of assistance to torture victims and their families."

32. The Secretary-General issued the following message on the International Day in Support of Victims of Torture:

"The International Day in Support of Victims of Torture draws attention to the suffering of torture victims, their families, and their communities, and provides an opportunity to reaffirm our collective condemnation of torture, and of all cruel, inhuman and degrading punishment.

"The prohibition against torture is well established. It is absolute and unambiguous. It applies in all circumstances, in times of war as in times of peace. Nor is torture permissible under different names: cruel and unusual punishment is unacceptable and illegal, whatever one may choose to call it.

"Yet this evil persists in too many of our societies and is tolerated, and even practised, by Governments or their agents.

"We must all work to erase this ugly stain on humanity's conscience. We must speak out forcefully against all such practices, and renew our efforts to end torture in all its forms.

"I very much welcome the recent entry into force of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. By creating a system of international and national visits to places of detention, the Protocol can help prevent the mistreatment of detainees. Its provisions can also help the work of the Special Rapporteur on torture. I call on all States that have not done so to ratify the

Convention and its Optional Protocol, and to allow for individual complaints by victims under these instruments.

"This year marks the twenty-fifth anniversary of the United Nations Voluntary Fund for Victims of Torture. The Fund is one of the United Nations largest humanitarian trust funds, providing critical support to organizations assisting victims and their families. I thank existing donors for their support of the Fund, and encourage the international community to continue to contribute generously to it. I am also grateful for the work being carried out by non-governmental organizations all over the world to support and rehabilitate torture victims and their families.

"On this International Day in Support of Victims of Torture, let us reaffirm the inalienable rights and dignity of all men and women, and let us resolve to combat cruel, degrading and inhuman treatment, wherever it may occur."

V. Needs assessment for 2008

33. On the basis of applications received for 2006, the Board, at its twenty-fifth session, estimated that requests for approximately $12 million should be expected for the year 2008. If, at its twenty-seventh session, the Board were to allocate grants with a zero-growth increase compared to 2006, a minimum amount of $5.6 million would be required after deduction of the cash reserve and programme support costs, taking into account the fact that the grants allocated will cover a 12-month period as of 2008.

VI. How to make a contribution to the Fund

34. Contributions to the Fund should always be marked as follows: "payee: United Nations Voluntary Fund for Victims of Torture, account CH". Payments may be made either by bank transfer: (a) in United States dollars to "United Nations Geneva General Fund", account No. 485001802, J.P. Morgan Chase Bank, International Agencies Banking, 1166, Avenue of the Americas, 17th floor, New York, NY 10036-2708, United States of America (Swift code: CHASUS33, ABA code: 021000021); (b) in euros to "United Nations Office at Geneva", account No. 23961901, J.P. Morgan Chase Bank, 125 London Wall, London EC2Y 5AJ, United Kingdom (Swift code: CHASGB2L, Sorting code: 60-92-42, IBAN: GB25 CHAS 6092 4223 9619 01); (c) in pounds sterling to "United Nations Office at Geneva", account No. 23961903, J.P. Morgan Chase Bank, 125 London Wall, London EC2Y 5AJ, United Kingdom (Swift code: CHASGB2L, Sorting code: 60-92-42, IBAN: GB25 CHAS 6092 4223 9619 03); (d) in Swiss francs to "United Nations Geneva General Fund", account No. 240-C0590160.0, UBS, rue du Rhône 8, Geneva 2, Switzerland (Swift code: UBSWCHZH12A; IBAN: CH65 0024 0240 CO59 0160 0); (e) in any other currency to "United Nations Geneva General Fund", account No. 240-C0590160.1, UBS, rue du Rhône 8, Geneva 2, Switzerland (Swift code: UBSWCHZH12A, IBAN: CH65 0024 0240 CO59 0160 1); (f) or by cheque payable to "United Nations" addressed to: Trésorerie, Nations Unies, Palais des Nations, CH 1211 Geneva 10, Switzerland. Donors are requested to inform the secretariat of the Fund and the Resource Mobilization Unit of the Office of the High Commissioner for

Human Rights when a payment has been made (a copy of the bank transfer order or of the cheque would be appreciated) to facilitate effective follow-up of the official recording procedure and preparation of the Secretary-General's reports.

VII. Conclusions and recommendations

35. **Pursuant to the appeals by the General Assembly and the Board of Trustees of the Fund, donors are invited to pay their contributions to the Fund before the session of the Board to enable the latter to take them into account at its twenty-seventh session, in October 2007.**

36. **The General Assembly and the Board have also urged regular donors to increase their contributions if possible in order to provide the Board with the resources to meet the growing needs of torture victims and the members of their families.**

37. **The Board strongly encourages Governments that have not yet contributed to the Fund to do so for the first time, preferably before September 2007.**

Annex

Foreword by the High Commissioner for Human Rights to the publication issued to commemorate the twenty-fifth anniversary of the Fund, entitled *Rebuilding Lives*

The establishment of the United Nations Voluntary Fund for Victims of Torture by the General Assembly in 1981 was a key contribution to the development of a holistic framework to prevent and respond to torture. In creating the Fund, the international community signalled that while efforts to formulate standards that would reinforce the absolute prohibition of torture were under way, its global prevalence called for immediate action to ensure that rehabilitative services were available to victims and their families.

Since its creation, the Fund has provided essential financial support to many organizations in all parts of the world, which, in turn, have enabled victims to begin dealing with the devastating physical and psychological consequences of torture. As you will read in the following pages, the Voluntary Fund has evolved and expanded over the past twenty-five years to become one of the largest humanitarian trust funds in the United Nations. I am confident that you will be moved by the strength, perseverance and endurance of the victims whose personal stories are told in the book. The Fund has been complemented by a series of international legal obligations that explicitly prohibit torture, including those in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, the Inter-American Convention to Prevent and Punish Torture and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and its protocols.

As the contributions in this book make clear, the right to be free from torture and cruel, inhuman or degrading treatment is not subject to any limitation, in any circumstances. Nevertheless, recent developments have shown that the absolute ban on torture is under attack, often in the context of measures to combat terrorism. Some States Members have questioned the absolute character of the prohibition and some disregard the prohibition altogether and subject their citizens and others to torture and ill-treatment, often in a manner that appears widespread and systematic. In a worrying trend, individuals are being arrested, detained and interrogated by authorities with no apparent intention of bringing them to trial. Numerous cases from a variety of jurisdictions testify to the fact that the integrity of the judicial process is compromised by torture or conditions of detention conducive to torture. Indeed, in many cases, the circumstances of arrest, detention and interrogation would in any credible jurisdiction amount to such an abuse of process that trial jurisdiction, if it ever existed, could never be exercised. The recourse to these methods is thus a complete repudiation of the rule of law. A broad range of safeguards are available to prevent this practice, yet too many States have not incorporated them in their legislation, or if they have, do not respect them in practice. These developments make clear that eradication of the practice of torture demands a multifaceted strategy. But an appropriate response does not need to be complex. Safeguards can be introduced to build public confidence in the criminal justice system and to reduce the risk of torture. For instance, an independent medical examiner could perform thorough examinations prior to, and following, an interrogation. Simultaneous filming of an interrogation and a timepiece could ensure

that no interruptions had occurred. In instances where public confidence in the police and the judiciary is low, more resource-intensive responses may be required.

In our efforts to prevent torture, strategies should be simple and straightforward. The protection and promotion of the rights of victims must be prioritized and remain at the core of these efforts. The best way to do this is to make comprehensive rehabilitative services, including medical, legal and humanitarian aid, available for victims of torture, and allow those who are closest to the victims, the grass-roots organizations, to deliver those services. In providing financial support, the United Nations Voluntary Fund for Victims of Torture continues to play a central role in combating the persistence of torture around the world. I hope that in reading the pages that follow, you will be encouraged to support our efforts to bring the practice of torture to an end.

Louise Arbour

United Nations High Commissioner for Human Rights

May 2006